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09/810,188	03/19/2001	Tomoshi Hirayama	204947US6	6951

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EXAMINER

BRUCKART, BENJAMIN R

ART UNIT PAPER NUMBER

2155

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/810,188

Applicant(s)

HIRAYAMA, TOMOSHI

Examiner

Benjamin R Bruckart

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Detailed Action

Status of Claims:

Claims 1, 3-5, 11 are pending in this Office Action.

Claims 2, 6-10 are cancelled. Claims 14-26 are withdrawn and should be cancelled.

The objection to the specification is withdrawn in light of applicant's amendment to the specification and abstract.

The 35 U.S.C. 112, second paragraph rejection is withdrawn from claims 3 and 5 in light of applicant's amendment.

Election/Restrictions

A proper response would have included canceling claims 14-26.

Applicant is reminded that upon the cancellation of claims to a non-elected invention.

Withdrawing claims is not the same as cancellation.

Response to Arguments

Applicant's arguments filed in the amendment filed 1/18/05, have been fully considered but they are not persuasive. The reasons are set forth below.

Applicant's invention as claimed:

Claim 1, 3, 11 are rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No. 6,292,833 by Liao et al in view of U.S. Patent No 6,686,880 by Marko et al.

Regarding claim 1, an information processing apparatus connected by a network to a first information processing apparatus for presenting a content (Liao: col. 2, lines 20-28; col. 4, lines 10-31) comprising:

an acquisition means for acquiring information on said first information processing apparatus (Liao: col. 9, lines 10-18) and information on a content presented by said first

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information processing apparatus from said first information processing apparatus (Liao: col. 8, lines 60-67; obtained from header);

a generation means for generating information processing apparatus identification information for identifying said first information processing apparatus (Liao: col. 13, lines 62-67) and generating content identification information for identifying a content on the basis of said information on said first information processing apparatus and said information on a content (Liao: col. 7, lines 34-63; content identification is the service identity), which are acquired by said acquisition means;

a storage means for storing said information processing apparatus identification information and said content identification information (Liao: col. 13, lines 8-22), which are generated by said generation means, by associating said information processing apparatus identification information with said content identification information (Liao: col. 13, lines 8-22); and

a transmission means for transmitting information on association stored in said storage means to a second information processing apparatus in response to a request made by said second information processing apparatus through said network (Liao: col. 13, lines 8-22).

The Liao reference does not explicitly state broadcast identification.

The Marko reference teaches information disseminated by broadcasting, acquiring broadcasting identification information (transmission identification information) assigned to said broadcasting (Marko: col. 4, lines 61- col. 5, line 13); and

said storage means further stores said broadcasting identification information (transmission identification information) by associating said broadcasting identification information (transmission identification information) with said information processing apparatus identification information and said content identification information (Marko: col. 5, lines 10-13).

The Marko reference further teaches the invention utilizes a system controller to format message with an ID for a cost effective broadcast transmission (Marko: col. 6, lines 17-36).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the information processing apparatus as taught by Liao while employing broadcast identifiers as taught by Marko in order to utilize cost effective broadcasts with Identifiers.

Claim 3 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Marko and Liao.

Regarding claim 3, an information processing apparatus according to claim 1, wherein said storage means further stores the address of said first information processing apparatus in said network (Liao: col. 14, lines 40-60; col. 7, lines 10-18); and

said apparatus further comprises an access controlling means for controlling accesses made to said first information processing apparatus through said network on the basis of any one of said information processing apparatus identification information, said content identification information and said broadcasting identification information (transmission identification information) (Liao: col. 9, lines 23-47), which have been acquired from a third information processing apparatus (Liao: col. 9, lines 62- col. 10, line 24).

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Regarding claim 11,

an information processing apparatus (Liao: col. 2, lines 20-28; col. 4, lines 10-31), comprising:

an extraction means for extracting content identification information for identifying a content presented by a first information processing apparatus (Liao: col. 9, lines 10-18; from message forwarded) and first information processing apparatus identification information for identifying said first information processing apparatus from a received signal (Liao: col. 8, lines 60-67; obtained from header);

a storage means for storing second information processing apparatus identification information for identifying said information processing apparatus itself (Liao: col. 13, lines 8-22); and

a request means for transmitting said content identification information (Liao: col. 13, lines 8-22) and said first information processing apparatus identification information (Liao: col. 13, lines 62-67), which are extracted by said extraction means (Laio: col. 9, lines 10-22), along with said second information processing apparatus identification information stored in said storage means to a second information processing apparatus (Laio: col. 13, lines 8-22) so as to request said first information processing apparatus to present a content identified by said content identification information (Liao: col. 13, lines 8-22).

The Liao reference does not explicitly state broadcast identification.

The Marko reference teaches information disseminated by broadcasting, said extraction means further extracts broadcasting identification information (transmission identification information) assigned to said broadcasting (Marko: col. 4, lines 61- col. 5, line 13); and

said storage means further stores said broadcasting identification information (transmission identification information) by associating said broadcasting identification information (transmission identification information) with said first information processing apparatus identification information and said content identification information (Marko: col. 5, lines 10-13).

The Marko reference further teaches the invention utilizes a system controller to format message with an ID for a cost effective broadcast transmission (Marko: col. 6, lines 17-36). Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the information processing apparatus as taught by Laio while employing broadcast identifiers as taught by Marko in order to utilize cost effective broadcasts with identifiers.

Claim 4-5 are rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No. 6,292,833 by Liao et al in view of JP02002112156A by Hirota.

Regarding claim 4, an information processing apparatus connected by a network to a first information processing apparatus for presenting a content (Liao: col. 2, lines 20-28; col. 4, lines 10-31) comprising:

an acquisition means for acquiring information on said first information processing apparatus (Liao: col. 9, lines 10-18; from message forwarded) and information on a content

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presented by said first information processing apparatus from said first information processing apparatus (Liao: col. 8, lines 60-67; obtained from header);

a generation means for generating information processing apparatus identification information for identifying said first information processing apparatus (Laio: col. 13, lines 62-67) and generating content identification information for identifying a content on the basis of said information on said first information processing apparatus and said information on a content (Liao: col. 7, lines 34-63; content identification is the service identity), which are acquired by said acquisition means;

a storage means for storing said information processing apparatus identification information and said content identification information (Liao: col. 13, lines 8-22), which are generated by said generation means, by associating said information processing apparatus identification information with said content identification information (Liao: col. 13, lines 8-22); and

a transmission means for transmitting information on association stored in said storage means to a second information processing apparatus in response to a request made by said second information processing apparatus through said network (Liao: col. 13, lines 56- col. 14, lines 25).

The Liao reference does not explicitly state a validity-condition.

The Hirota reference teaches acquiring a validity-condition concerning validity of presentation of a content from said first information processing apparatus (Hirota: Abstract); and

said storage means further stores said validity-condition by associating said validity-condition with said information processing apparatus identification information and said content identification information (Hirota: Abstract).

The Hirota reference further teaches the invention storing program contents as specified by a user by automatically storing required information (Hirota: Abstract).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the information processing apparatus as taught by Laio while employing validity conditions as taught by Hirota in order to automatically store program contents that are specified by a user (Hirota: Abstract).

Claim 5 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Hirota and Liao.

Regarding claim 5, an information processing apparatus according to claim 4, wherein said validity-condition includes information on additional information added by a user receiving data including said information processing apparatus identification information and said content identification information (Liao: col. 7, lines 29-33; col. 12, lines 37-47).

REMARKS

Applicant has combined claim 2 into claim 1. And limitations of claim 1 into claim 4.

Claim 11 is combined with previous claim 8. The examiner maintains the rejection.

The Applicant Argues:

The Liao reference does not teach “generation means for generating information processing apparatus identification information for identifying the first information processing apparatus.”

The combination of Liao and Marko both fail to teach “a request means for transmitting said content identification ... to a second information processing apparatus.”

In response, the examiner respectfully submits:

The Laio reference does teach the cited limitations. The examiner will more accurately point to column and line numbers to convey the teachings and interpretation of Laio on the claimed invention.

Laio teaches generating information processing apparatus identification information for identifying said first information processing apparatus (Laio: col. 13, lines 62-67). Laio teaches generating a specific code that identifies a device.

And Laio teaches generating content identification information for identifying content on the basis of said information (col. 7, lines 6-22). The identification information is related to the service identity. The service identity comes in many forms and can be inferred by the mobile device based on the knowledge the mobile device has for the message (col. 7, lines 10-22). The verb generate is defined by Webster’s University Dictionary as “to form,” “to produce.” The Laio reference obtains this service identity from the message of the link of the message with another message.

The Laio reference teaches the request means for transmitting said content identification information (Laio: col. 13, lines 8-22) and said first information processing apparatus identification information (Laio: col. 13, lines 62-67), which are extracted by said extraction means (Laio: col. 9, lines 10-22), along with said second information processing apparatus identification information stored in said storage means to a second information processing apparatus (Laio: col. 13, lines 8-22; another remote computing device) so as to request said first information processing apparatus to present a content identified by said content identification information (Laio: col. 13, lines 8-22).

The content identification information is the service identity. The first processing apparatus identification is the device identifier. The second information processing apparatus is

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the network gateway and the identification information is the information stored in gateway cache which can be things like requested pages or browser settings.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

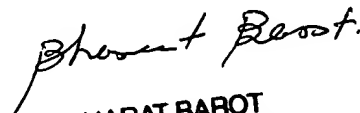
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart
Examiner
Art Unit 2155

brb



BHARAT BAROT
PRIMARY EXAMINER